

### **Remarks**

In view of the foregoing amendments and following remarks responsive to the Office Action dated August 22, 2007, Applicant respectfully requests favorable reconsideration of this application.

Applicants have herein cancelled claims 12 and 17 and moved the limitations recited in those claims into independent claims 1 and 16, respectively. Claims 13-15 have been amended to change their dependency from cancelled claim 12 to amended claim 1. Claim 18 has been amended to change its dependency from cancelled claim 17 to amended claim 16. Claims 21 and 22 have been added to further define the present invention.

Additionally, claims 6 and 13 have been amended in response to the 35 U.S.C. §112 claim rejections and claims 18 and 19 have been amended in response to claim objections. The drawings have been amended to correct the typographical error pointed out by the Examiner.

### **Drawing Objection**

On page 2 of the Office Action, the Examiner objected to the Drawings because the numbering in Figure 1 was not consistent with the specification. Figure 1 has been amended to correctly show that the display controller is numbered 140 rather than 14D. Accordingly, Applicant respectfully requests the Examiner to withdraw the drawing objection.

### **Claim Objections**

On page 2-3 of the Office Action, the Examiner objected to claims 17. Claim 17 has been cancelled and claims 18 and 19 have been amended in accordance with the Examiner's suggested language. Accordingly, Applicant respectfully requests the Examiner to withdraw the objection to claims 17-19.

### **Claim Rejections, 35 U.S.C. §112**

On page 3 of the Office Action, the Examiner rejected claims 6 and 13 as having insufficient antecedent basis. Claims 6 and 13 have been amended to correct the antecedent basis problems. Accordingly, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §112 Rejections to claims 6 and 13.

### **Claim Rejections, 35 U.S.C. §§ 102 and 103**

On page 4 of the Office Action, the Examiner rejected Claims 1-3, 5-7 and 9-10 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application No. 2005/0015815 A1 to Shoff et al. ("Shoff"). On page 6 of the Office Action, the Examiner rejected Claim 8 under 35 U.S.C. §103(a) as being unpatentable over Shoff in view of U.S. Patent No. 5,745,109 to Nakano et al. ("Nakano"). On page 7 of the Office Action, the Examiner rejected Claims 4 and 11-19 under 35 U.S.C. §103(a) as being unpatentable over Shoff in view of U.S. Patent No. 5,948,061 to Merriman et al. ("Merriman"). On page 10 of the Office Action, the Examiner rejected Claim 20 under 35 U.S.C. §103(a) as being unpatentable over Shoff in view of Merriman, and further in

view of U.S. Patent No. 5,923,379 to Patterson. These rejections are respectfully traversed.

### **The Present Invention**

The present claimed invention teaches a method and system for interactive broadcast and web information viewing.

Claim 1, as amended, recites :

An information system, comprising:

- a controller, for generating an image representative signal adapted for use by a display device;

- a broadcast interface, for applying broadcast information to a controller; and an interactive information interface, for applying interactive information to said controller;

- said controller including said broadcast information, said interactive information and a user selectable element in said image representative signal such that corresponding presented imagery includes an interactive portion, a broadcast portion and a user selectable element, and

- wherein said interactive information interface retrieves information from a network in response to the reception of broadcast information conforming to a user preference.

In the invention of claim 1, information is retrieved from a network in response to the reception of broadcast information conforming to a user preference.

Claim 16, as amended, recites :

A method of displaying information comprising:

- initializing a display system;

- receiving selected web content;

- receiving broadcast content;

- receiving personalized indicia within at least an out-of-band portion of a television signal;

- formatting received web content, received broadcast content, and received personalized indicia into video information; and

displaying video information to simultaneously produce interactive information having a user selectable element and a television broadcast.

In the invention of claim 16, personal indicia is received from within at least an out-of-band portion of a television signal.

**U.S. Patent Application No. 2005/0015815 A1 to Shoff et al.**

U.S. Patent Application No. 2005/0015815 A1 to Shoff et al. ("Shoff") teaches an interactive entertainment system that enables presentation of supplemental interactive content alongside traditional broadcast video programs, such as television shows and movies. The programs are broadcast in a conventional manner. The supplemental content is supplied as part of the same program signal over the broadcast network, or separately over another distribution network. A viewer computing unit launches a browser. The browser uses a target specification stored in the Electronic Programming Guide to activate a target resource containing the supplemental content for enhancing the broadcast program. The target resource contains display layout instructions prescribing how the supplemental content and the video content program are to appear in relation to one another when displayed. Embedding the layout instructions in the supplemental content places control of the presentation with the content developers. The developers are free to arrange the data and video in any manner they choose (Abstract of Shoff). The user has no control of the presentation of the broadcast video programs or the supplemental content.

**U.S. Patent No. 5,948,061 to Merriman et al.**

U.S. Patent No. 5,948,061 to Merriman et al. ("Merriman") teaches a method for targeting the delivery of advertisements over the Internet. Statistics are compiled on individual users and networks and the use of the advertisements is tracked to permit targeting of the advertisements of individual users. In response to requests from affiliated sites, an advertising server transmits to people accessing the page of a site an appropriate advertisement based upon profiling of users and networks.

**The Examiner Has Not Established a *Prima Facie* Case of Obvious**

As noted above, amended claim 1 includes the language of cancelled claim 12. On page 8 of the Office Action, the Examiner acknowledges that Shoff does not teach said interactive information interface retrieving information from a network in response to the reception of broadcast information conforming to a user preference, as recited in cancelled claim 12 and amended claim 1. However, the Examiner states that Merriman teaches said interactive information interface retrieving information (advertisement) from a network in response to the reception of broadcast information conforming to a user preference (column 6 lines 56-59) and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Shoff and Merriman for the benefit of retrieving information that is tailored to each user.

However, column 6, lines 56-59 of Merriman states only that "upon selecting the advertisement, the selected advertisement object is then transmitted to the user's browser over the Internet by transmitting the GIF stored in RAM in one or more

messages." Nowhere in the cited passage or anywhere else does Merriman disclose any use whatsoever of broadcast information. The advertisement object in the cited passage of Merriman is not transmitted in response to any type of broadcast information. Rather, the advertisement object in Merriman is selected based on the user's previous selections of web pages over the internet. Like Shoff, Merriman does not disclose or suggest the concept of broadcast information conforming to a user preference. Thus, the combination of Shoff and Merriman does not disclose or suggest said interactive information interface retrieving information from a network in response to the reception of broadcast information conforming to a user preference. For this reason, amended claim 1 patentably defines over Shoff in view of Merriman.

Amended claim 16 recites the language of cancelled claim 17 of "receiving personalized indicia within at least an out-of-band portion of a television signal." On page 10 of the Office Action, the Examiner states that Merriman discloses including identifying personalized indicia within at least one of the displayed video information and an out-of-band portion of a television signal and that Shoff in view of Merriman would result in Merriman's personalized indicia being displayed in Shoff's GUI interface and carried within the out-of-band portion of the TV signal, as recited in cancelled claim 17.

However, nowhere does either Shoff or Merriman disclose the concept of personalized indicia being carried within the out-of-band portion of a TV signal. Shoff does not disclose the possibility of including any type of personalized indicia or anything else in the out-of-band portion of a TV signal and nowhere does Merriman even mention any type of TV signal. The result of combining Shoff and Merriman would, therefore, not result in a teaching or suggestion of any use whatsoever of the out-of-band portion

of a TV signal. Thus, the combination of Shoff and Merriman does not disclose the step of receiving personalized indicia within at least an out-of-band portion of a television signal, as recited in amended claim 16. For this reason, amended claim 16 patentably defines over Shoff in view of Merriman.

As such, claims 1 and 16 patentably define over the applied art. The dependent claims of the present application, therefore, also distinguish over the applied art for at least the reasons set forth above with respect to independent claims 1 and 16.

In view of the foregoing amendments and remarks, this application is now in condition for allowance. Applicant respectfully requests that Office to issue a Notice of Allowance at the earliest possible date. The Examiner is invited to contact applicant's undersigned counsel by telephone call in order to further the prosecution of this case in any way.

Respectfully submitted,  
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by:

November 13, 2007  
Date

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